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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

**PROTECTIVE ORDER**

- v. -

S3 15 Cr. 616 (AT)

MICHAEL PEARSE, and :  
YONGCHAO LIU, :  
a/k/a "Kevin Liu," :

Defendants. :

- - - - - x

ANALISA TORRES, District Judge:

On the motion of the United States of America, by Audrey Strauss, United States Attorney, by Jilan Kamal and Olga I. Zverovich, Assistant United States Attorneys, of counsel, and with the consent of defendants MICHAEL PEARSE and YONGCHAO LIU, a/k/a "Kevin Liu," by and through their respective counsel, Daniel Lynch, Esq., and Anthony Cecutti, Esq., and for good cause shown,

IT IS HEREBY ORDERED THAT:

1. The documents, recordings, and other materials provided by the Government to the defendants in this action pursuant to Rules 16 and 26.2 of the Federal Rules of Criminal Procedure; Title 18, United States Code, Section 3500; *Brady v. Maryland*; or *United States v. Giglio*, shall be treated as "Confidential Information" if such documents, recordings, and

other materials are:

- (a) Not otherwise publicly available; and
- (b) Contain and/or reflect any of the following:
  - (i) The name, address, date of birth, telephone number, e-mail address, social security number, taxpayer identification number, driver's license number, financial account number, and/or any other personally identifying information of any individual;
  - (ii) The bank records, credit card records, financial records, tax records, telephone records, immigration records, and/or personnel files of any individual;
  - (iii) Any documents and/or other materials originally obtained by the Federal Trade Commission ("FTC") pursuant to civil investigative demand letters ("CIDs") and other legal process. These include documents produced to the FTC by AT&T (the "AT&T Documents"), for which there are additional instructions described in Paragraph 3 below.

2. Confidential Information disclosed to the defendant or to his counsel during the course of proceedings in this action:

(a) Shall be used by the defendant or his counsel only for purposes of this action.

(b) Shall not be disclosed in any form by the defendant or his counsel except as set forth in paragraph 2(c) below.

(c) May be disclosed by the defendant or his counsel only to the following persons (hereinafter "designated persons"):

- (i) legal, investigative, secretarial, clerical, paralegal, and student personnel working on this action under the direction of defendant's attorneys;
- (ii) independent expert witnesses and other potential witnesses for the defense, and investigators or advisors retained by defendant in connection with this action;
- (iii) such other persons as hereafter may be authorized by the Court upon such motion by defendant.

(d) Shall be returned to the Government or destroyed

following the entry of either a final judgment in this case, or, in the event of an appeal and/or the filing of a motion under 18 U.S.C. § 2255, immediately following the disposition of the appeal and/or the § 2255 motion, absent further Order of the Court. This Order also applies to any copies - electronic, hard copy, or otherwise - that may have been made.

3. With regard to the AT&T Documents, in addition to abiding by the instructions described in paragraph 2 above, the defendant, his counsel, and the Government agree that if any party intends to use an AT&T Document in court or otherwise publicly disclose an AT&T Document, the party intending to use the AT&T Document will provide at least seven days advance notice to AT&T, unless otherwise ordered by the Court.

4. The defendant and his counsel shall provide a copy of this Order to designated persons to whom they disclose Confidential Information pursuant to paragraph 2(c). Designated persons shall be subject to the terms of this Order.

5. With respect to Confidential Information, any filings with any court shall be governed by Rule 49.1 of the Federal Rules of Criminal Procedure.

6. The provisions of this Order, including paragraph 5 above, shall not be construed as limiting the use that the defendants and their counsel may make of any documents produced

pursuant to this Order in any motion, hearing, or trial held in this action.

7. In the event of a change of counsel, subsequent counsel are bound by the terms of this Protective Order.


Dated: New York, New York  
March 16, 2021

SO ORDERED:



THE HONCRABLE ANALISA TORRES  
UNITED STATES DISTRICT JUDGE


AGREED AND CONSENTED TO:

  
\_\_\_\_\_  
Jilan Kamal  
Olga I. Zverovich  
Assistant U.S. Attorneys

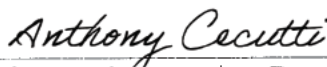
March 15, 2021  
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Date

  
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Daniel Lynch, Esq.  
Attorney for Michael Pearse

3/8/21  
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Date

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Michael Pearse

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Date

  
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Anthony Cecutti, Esq.  
Attorney for Yongchao Liu, a/k/a  
"Kevin Liu"

March 15, 2021  
\_\_\_\_\_  
Date

Yongchao Liu (by counsel)  
\_\_\_\_\_  
Yongchao Liu, a/k/a "Kevin Liu"

March 15, 2021  
\_\_\_\_\_  
Date